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**OFFICE OF PETITIONS**

In re Application of :  
Robert James Gerndt, et al. :  
Application No. 09/240,524 :  
Filed: January 29, 1999 :  
Attorney Docket No. KCC-14-026 :  
ON PETITION

This is a decision on the renewed petition, filed January 31, 2005, to revive the above-identified application under the provisions of 37 CFR 1.137(b). The renewed petition includes a Terminal Disclaimer as required by the decision dismissing petition mailed January 11, 2005.

The petition is **GRANTED**.

A review of the record confirms the filing of an appeal brief in triplicate and the appeal brief fee. Further, the Terminal Disclaimer filed January 31, 2005 is acceptable. Accordingly, the petition complies with the requirements of 37 CFR 1.137(b).

The application is being returned to Technology Center 3700, Art Unit 3753 for appropriate action.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3204. All other inquiries regarding this application should be directed to the Technology Center.

Sherry D. Brinkley  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy